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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,018	03/24/2004	Allison G. Woodruff	A3161-US-NP	7804
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EXAMINER LAEKEMARIAM, YOSEF K				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/809,018

**Applicant(s)**

WOODRUFF ET AL.

**Examiner**

YOSEF K. LAEKEMARIAM

**Art Unit**

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 March 2004.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-67 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-67 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 24 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO/G6/G6)  
Paper No(s)/Mail Date 10/08/2009, 04/29/2005, 08/12/2004  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Allowable Subject Matter***

1. Claims 8-10, 16, 18-19, 21, 32-33, 35-36, 40, 45, 50-56 and 60-65 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-7, 11-15, 17, 20, 22-24, 34, 37-39, 41-44, 48-49, 57-59 and 66-67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marouf et al. (US 4,475,190) in view of Cox et al. (US 6,574,321)

Regarding claim 1, Marouf discloses a method for providing a communication channel that comprises at least one property dynamically changeable during social interactions (Col.5 lines 49-61), comprising: defining a communication channel comprising a set of properties that are dynamically changeable to determine structure for content delivery (Col.5 lines 35-67: Marouf discusses a speech level estimates for port selection); delivering content through the communication channel between at least two participants while monitoring at least one arbitrary data source (Col.13 lines 14-17 and Col.12 lines 13-28); modeling at least one desired qualitative

property for the communication channel based on the monitoring of the at least one arbitrary data source (Col.6 lines 1-10 and Col.5 lines 46-65);

Marouf discloses the invention set forth above except for the claimed “dynamically changing the set of properties for the communication channel based on the at least one desired qualitative property”

Cox discloses dynamically changing the set of properties for the communication channel based on the at least one desired qualitative property (Col.11 lines 29-40 and Col.6 lines 58-64)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Marouf, and modify the method to dynamically changing the set of properties for the communication channel based on the at least one desired qualitative property as taught by Cox, thus allowing to achieve specific objectives in the management and enforcement of policies related to the use of telecommunications services, as discussed by Cox.

Regarding claims 37 and 57, Marouf discloses a method for providing a communication channel that comprises at least one property dynamically changeable during social interactions (Col.5 lines 49-61), comprising: defining a communication channel comprising a set of properties that are dynamically changeable to determine structure for content delivery and a user interface associated with the communication channel (Col.5 lines 35-67: Marouf discloses a speech level estimates for port selection); delivering content through the communication channel between at least two participants while monitoring independent gestures perceived relative to the user interface associated with the communication channel (Col.13 lines 14-17 and Col.12 lines 13-28); modeling at least one desired property for the communication channel based on the gestures (Col.6 lines 1-10 and Col.5 lines 46-65);

Marouf discloses the invention set forth above except for the claimed “dynamically changing the set of properties for the communication channel based on the at least one desired qualitative property”

Cox discloses dynamically changing the set of properties for the communication channel based on the at least one desired qualitative property (Col.11 lines 29-40 and Col.6 lines 58-64)

Regarding claim 66, Marouf discloses a system for providing a communication channel that comprises at least one dynamically changeable property (Col.5 lines 49-61), comprising: a communication channel comprising at least one property that is dynamically changeable to determine structure for content delivery and to deliver content through the communication channel between at least two participants (Col.13 lines 14-17 and Col.12 lines 13-28); a modeling component to model at least one desired property for the communication channel (Col.6 lines 1-10 and Col.5 lines 46-65);

Marouf discloses the invention set forth above except for the claimed “a switch to dynamically changing the set of properties for the communication channel based on the at least one desired qualitative property”

Cox discloses a switch to dynamically changing the set of properties for the communication channel based on the at least one desired qualitative property (Col.11 lines 29-40 and Col.6 lines 58-64)

Regarding claim 67, Marouf discloses a method for providing a communication channel that comprises at least one dynamically changeable property (Col.5 lines 49-61), comprising: defining a communication channel comprising at least one property that is dynamically changeable to determine structure for content delivery; delivering content through the

communication channel between at least two participants (Col.13 lines 14-17 and Col.12 lines 13-28); modeling at least one desired property for the communication channel (Col.6 lines 1-10 and Col.5 lines 46-65);

Marouf discloses the invention set forth above except for the claimed “dynamically changing the set of properties for the communication channel based on the at least one desired qualitative property”

Cox discloses dynamically changing the set of properties for the communication channel based on the at least one desired qualitative property (Col.11 lines 29-40 and Col.6 lines 58-64)

Considering claims 2, 38 and 58, Marouf discloses a method according to claim 1, further comprising: altering the communication channel as a primary communication channel (Col.5 lines 38-43).

Considering claim 3, Marouf discloses a method according to claim 2, wherein the content delivered over the primary communication channel substantially comprises elements of human language (Col.6 lines 2-6).

Considering claims 4, 39 and 59, Marouf discloses a method according to claims 1, 37 and 57 further comprising: altering the communication channel as a continuous communication channel (Col.10 lines 61-67 and Col.13 lines 30-44).

Considering claims 5 and 41, Marouf discloses a method according to claims 1 and 40, further comprising: monitoring content delivered over a primary communication channel (Col.13 lines 14-17)

Considering claims 6 and 7, Cox discloses a method according to claim 5, wherein the content delivered over the primary communication channel substantially comprises elements of analyzed human language (Col.12 lines 18-29).

Considering claim 11, Marouf discloses a method according to claim 5, wherein the content delivered over the primary communication channel substantially comprises elements of audio content (Col.3 lines 10-13).

Considering claim 12, Marouf discloses a method according to claim 5, wherein the content delivered over the primary communication channel substantially comprises elements of text (Col.3 lines 11-13).

Considering claims 13 and 42, Marouf discloses a method according to claims 1 and 40, further comprising: monitoring content delivered over a secondary communication channel (Col.13 lines 14-17)

Considering claim 14, Marouf discloses a method according to claim 13, wherein the content delivered over the secondary communication channel substantially comprises elements of video content (Col.4 lines 35-40).

Considering claims 15 and 43, Marouf discloses a method according to claims 1 and 40, further comprising: monitoring content delivered over the communication channel comprising conversational characteristics (Col.13 lines 13-17).

Considering claims 17 and 44, Marouf discloses a method according to claims 1 and 40 further comprising: monitoring out-of-channel context (Col.5 lines 45-51)

Considering claim 20, Marouf discloses a method according to claim 17, wherein the out-of-channel context originates from an input device (fig.1, 105-106 and Col.5 lines 45-51).

Considering claim 22, Marouf discloses a method according to claim 21, wherein the inference comprises assessing attributes of individual (abstract lines 5-8).

Considering claim 23, Marouf discloses a method according to claim 21, wherein the inference comprises assessing attributes of environment (abstract lines 5-8).

Considering claims 24, Marouf discloses a method according to claim 21, wherein the inference comprises assessing attributes of groups (fig.5, 504).

Considering claims 34 and 48, Cox further discloses a method according to claims 1 and 40, further comprising: receiving additional manual input; and dynamically changing the set of properties for the communication channel further based on the additional manual input (Col.11 lines 29-40).

Considering claim 49, Marouf discloses a method according to claim 48, wherein the additional manual input comprises a main controlling input (fig.1, 105-106).

4. Claims 25-31 and 46-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marouf et al. (US 4,475,190) in view of Cox et al. (US 6,574,321) and further in view of Skeen et al. (US 5,966, 531)

Considering claim 25, Marouf together with Cox does not specifically disclose a method wherein the inference comprises modeling goals of individuals. Skeen however discloses claim 25, wherein the inference comprises modeling goals of individuals (Col.8 lines 57-60).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Marouf and Cox, and modify the method wherein the



inference comprises modeling goals of individuals as taught by Skeen, thus allowing users with similar service access patterns and access rights, as discussed by Skeen.

Considering claim 26, Skeen further discloses a method according to claim 25, wherein the inference further comprises modeling the goals of the individuals as a group (Col.8 lines 57-65).

Considering claims 27 and 46, Skeen further discloses a method according to claims 1 and 40, further comprising: drawing an inference based on historical information (Fig.20B, 452)

Considering claim 28, a method according to claim 27, wherein the inference is based on a history of monitored data (Col.23 lines 25-27 and Col.21 lines 49-56).

Considering claim 29, Skeen further discloses a method according to claim 27, wherein the inference is based on a history of modeled attributes (Col.24 lines 58-61 and Col.23 lines 25-35).

Considering claim 30, Skeen further discloses a method according to claim 27, wherein the inference is based on a history of channel properties (Col.31 lines 14-21 and Col.30 lines 19-26).

Considering claims 31 and 47, Skeen further discloses a method according to claims 1 and 40, further comprising: drawing an inference based on joint behaviors of the at least two participants (Col.25 lines 66-67 and Col.26 lines 1-6).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to YOSEF K. LAEKEMARIAM whose telephone number is (571) 270-5149. The examiner can normally be reached on Regular hours 8:30 am - 5:30 pm M - F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, CURTIS KUNTZ can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Examiner, Art Unit 2614  
01-05-2009

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